

JURMANA

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Team Abde Mustafa Official Ki Ilmi, Tehqeeqi Aur Islahi Kitabein Aur Risale Kai Marahil Se Guzarne Ke Baad Shaya Hote Hain Lekin Iske Bawajood In Mein Bhi Aisi Ghalatiyo Ka Paaya Jaana Mumkin Hai Lihaza Agar Aap Unhein Paayein To Humein Ittela Farmayein

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Jurmana Yaani Kisi Ke Kisi Amal Ke Iwaz Bataure Saza Usse Maal Lena, Ye Maali Jurmana Kehlati Hai Jo Ke Najaizo Haraam Hai

Angrezi Mein Iske Liye Fine Ya Penalty Waghaira Alfaaz Istemal Kiye Jaate Hain

Is Mukhtasar Se Risale Mein Humne Is Mas'ale Par Ulama -e- Ahle Sunnat Ke Fatawa Ko Jama Kiya Hai Taaki Ba Aasani Is Mas'ale Ki Tafseel Ek Jagah Dekhi Ja Sake

Masjid Mein Jurmana

Hazrat Allama Mufti Ajmal Qadri Rahimahullahu Ta'ala Se Sawal Kiya Gaya Ke Jurmana Jo Islahe Qaum Ke Liye Ho Yaani Aise Fa'il Jo Shar'an Najaiz Hain Unko Rokne Par Jurmana Kiya Jaaye Aur Qaum Ko Darane Ke Liye Aur Us Rupya Ko Kisi Madrasa Mein Jo Qaum Ke Naam Se Mausoom Ho Lagaya Jaaye Jaise Us Waqt Ko Qaumi Panchayat Qaaim Ki Gai Aur Logon Ko Israaf Aur Ghalat Rasmo Se Bachane Ke Liye Jurmane Muqarrar Kiye Hain Jaaiz Hain Ya Najaiz? Kutube Motabara Ke Hawale Se Jawab Se Muttala Farmaya Jaawe

Aap Rahimahullahu Ta'ala Jawab Mein Likhte Hain Ke Kisi Ko Maal Le Kar Saza Dena Jis Ka Naam Awaam Ne Jurmana Rakh Liya Hai, Ye Shar'an Najaizo Haraam Hai,

Raddul Muhtaar Mein Hai :

Lihaza Jin Aqwaam Mein ان المذهب عدم التعزير يأخذ
Saza Maali Jurmane Se Ki المال فلا يجوز لاحد من المسلمين
Jaati Hai Wo Najaiz Hai

Aur Wo Maal Khabees	اخذ مال احد بغير سبب اقول: و
Hai Aur Maale Khabees	عدم جوازه لما فيه من تسليط
Masjid Wa Madrasa Mein	الظلمة على اخذ مال الناس فياكلونه
Sarf Nahin Kiya Ja Sakta,	
Is Jurmane Ka Madrasa	
Mein Sarf Karna Bhi Jaaiz	
Nahin ¹	

Ek Aur Sawal

Aapse Ek Aur Sawal Kiya Gaya Jis Mein Ek Panchayat Ka Zikr Tha Jisne Ek Shakhs Par Maali Jurmana Aaid Kiya Tha To Aap Rahimahullahu Ta'ala Ne Jawab Mein Irshad Farmaya Saza Mein Rupya Ka Jurmana Muqarrar Karna Najayez Hai²

[1] Fatawa Ajmaliya, 4/134

[2] Fatawa Ajmaliya, 4/33

Fatawa Bareli Shareef

Fatawa Bareli Shareef Mein Hai Ke Aala Hazrat, Mujaddide Barelvi, Fazile Barelvi Radiallaho Ta'ala Anho Fatawa Razviya, 2/198 Mein Farmate Hain Ke Jo Umoor Tadeebi Taur Par Mazkooor Hue Sab Jaaiz Hain Magar Maali Jurmana Lena Haraam¹

Behrul Uloom Ka Fatwa

Behrul Uloom, Hazrate Allama Mufti Abdul Mannan Aazmi Rahimahullahu Ta'ala Se Sawal Kiya Gaya Ke Faisal Jurmane Ki Raqam Apne Masraf Mein La Sakta Hai Ya Nahin?

Aap Rahimahullahu Ta'ala Likhte Hain Ke Jurmana Mein Paisa Wasool Karna Najaiz Hai, Durre Mukhtar Mein Hai :

لا يأخذ المال في المذهب²

[1] Fatawa Bareli Shareef, 78

[2] Fatawa Behrul Uloom, 2/420

Jurmana Mansookh Ho Gaya

Ibteda -e- Islam Mein Mujrim Se Jurmana Lena Jaaiz Tha Baad Mein Ye Ijazat Mansookh Ho Gai Aur Mansookh Par Amal Karna Najaiz Wa Gunaah Hai Chunanche Imam -e- Ahle Sunnat, Aala Hazrat Rahimahullahu Ta'ala Se Sawal Kiya Gaya Ke Bakar Ne Ek Aalim Ke Farmane Se Musalmano Ke Rubaru Ye Tajweez Pesh Ki Ke Jo Shakhs Namaz Na Padhe Usko Huqqa Paani Na Diya Jaaye Aur Jitne Waqt Ki Namaz Na Padhe, Ek Paisa Jurmana Hona Chahiye, Zaid Ne Iska Ye Jawab Diya Ke Is Taur Ki Namaz Padhwani Zeena Dozakh Ka Hai, Is Baare Mein Hukme Shariat Kya Hai?

Aala Hazrat Irshad Farmate Hain Ke Huqqa Paani Na Dene Ki Tajweez Theek Hai Aur Maali Jurmana Jaaiz Nahin

Kyunki Ye Cheez Pehle Thi	لانه شيء كان و نسخ كما بينه
Lekin Baad Mein	
Mansookh Ho Gai Thi	الامام ابو جعفر الطحاوي رحمه
Jaisa Ke Imam Abu Jafar	الله تعالى
Tahawi Rahimahullahu	
Ta'ala Ne Bayaan Kiya ¹	

[1] Durre Mukhtar, Baabut Taazeer, 1/326, Fatawa Razviya, 5/111

Imam Shafai Ke Nazdeek Jaaiz

(Aala Hazrat Mazeed Likhte Hain Ke) Zaid Ka Wo Kalima (Ke Is Taur Ki Namaz Padhwani Zeena Dozakh Ka Hai, Ye) Bahut Bura Aur Sakht Bejaa Hai

Kyunki Maali Jurmana فان المصادرة المالية تجوز عند
Imam Shafai Radiallaho الامام الشافعي رضي الله تعالى عنه
Ta'ala Anho Ke Nazdeek
Jaaiz Hai

Namaz Padhwana Zeena -e- Dozakh Nahin Balki Na Padhna, Zaid Tauba Kare¹

والله تعالى اعلم

[1] Fatawa Razviya, 5/111

Namaz Chhodne Par Jurmana

Aala Hazrat Rahimahullahu Ta'ala Se Ek Aur Sawal Kiya Gaya Ke Ek Musalmano Ke Madrasi Mein Jahan Angrezi Taleem Hoti Hai, Panjgana Namaz Ki Sakht Takeed Hai, Masjid Mein Baad Har Namaz Ke Har Talibe Ilm Ki Haaziri Ek Register Mein Darj Hoti Hai Aur Jo Ghair Haazir Paaye Jaate Hain Un Par Jurmana Hota Hai, Is Tashreeh Ke Saath Ke Fajr, Zuhar, Asr Aur Isha Ki Ghair Haaziri Mein Fi Namaz Do Paise Liye Jaate Hain... Ye Tariqa Shariat Ke Hisab Se Kaisa Hai?

Aap Rahimahullahu Farmate Hain Ke Tazeer Bil Maal Mansookh Hai Aur Mansookh Par Amal Jaaiz Nahin, Durre Mukhtar Mein Hai :

Maal Lene Ka Jurmana
Mazhab Ki Roo Se Jaaiz
Nahin¹

لا يأخذ مال في المذهب

Usi Mein Hai :

Aur Mujtaba Mein Hai Ke
Ibtada -e- Islam Mein Tha
Phir Mansookh Kar Diya
Gaya

و في المجتبى انه كان في ابتداء
الاسلام ثم نسخ

Raddul Muhtaar Mein Hai :

Aur Bazariya Mein Ye
Ifada Kiya Hai Ke Maali
Tazeer Ka Qaul Agar

وافاد في البزارية، ان معنى التعزير
بأخذ المال على القول به امساك

[1] Durre Mukhtar, 1/326

Ikhteyar Kiya Bhi Jaaye To
Us Ka Sirf Itna Hi Matlab
Hai Ke Uska Maal Kuchh
Muddat Ke Liye Rok Lena
Taaki Wo Baaz Aa Jaaye,
Uske Baad Hakim Ka Maal
Lauta De, Na Ye Ke Hakim
Apne Liye Le Le Ya Baytul
Maal Ke Liye, Jaisa Ke
Zalim Log Samajhte Hain,
Kyunki Sharai Sabab Ke
Baghair Kisi Ka Maal Lena
Musalman Ke Liye Rawa
Nahin¹

شيء من ماله عنده مدة لينزجم
ثم يعيده الحاكم اليه لا ان ياخذ
الحاكم لنفسه او لبيت المال كما
يتوهمه الظلمة اذ لا يجوز لا حد من
المسلمين اخذ مال احد بغير سبب
شرعي

[1]Raddul Muhtar, 3/195, Fatawa Razviya, 5/112,113

Mufti Khaleel Khan Barkati Ka Fatwa

Allama Mufti Khaleel Khan Barkati Jurmane Ke Baare Mein Likhte Hain Ke Jurmana Nahin Liya Ja Sakta Ke Shariat Mein Jurmana Jaaiz Nahin¹

Roze Na Rakhne Par Jurmana

Mufti Ghulam Rasool Naqshbandi Se Sawal Kiya Gaya Ke Ek Gaaon Ke Logon Ne Aapas Mein Faisla Kiya Ke Jo Aadmi Maahe Ramzan Mein Roze Nahin Rakhega Usko Jurmana Kiya Jayega, Ab Ek Aadmi Ne Roza Na Rakha Aur Usse Jurmana Ka Mutalba Kiya Gaya To Usne Jawab Diya Ke Main Jurmana Nahin Dunga Kyunki Shariat Jurmane Nahin Karti, Ab Daryaft Talab Amr Ye Hai Ke Shara Mein Jurmana Karna Jaaiz Hai Ya Nahin?

Aap Jawab Mein Likhte Hain Ke Maahe Ramzan Ke Roze Islam Mein Bunyadi Haisiyat Rakhte Hain, Har Musalman Aaqil Baligh Par Farz Hain Aur Har Musalman Par Farz Hai Ke Wo Maahe Ramzan Ke Roze Rakhe Aur Maahe Ramzan Ka Ehtiram Bhi Kare Lekin Maali Jurmana Karna Sharan Jaaiz Nahin Hai

Fatawa Razviya Mein Hai :

Ke Imam Abu Jafar
Tahawi Farmate Hain Ke
Jurmana Mansookh Ho
Chuka Hai Aur Mansookh

لانه شيء كان و نسخ كما بينه
الامام ابو جعفر الطحاوي رحمه
الله تعالى

[1] Fatawa Khaleeliya, 3/193

Qabile Amal Nahin Hota,
Lihaza Kisi Ko Jurmana
Maali Karna Jaaiz Nahin
Hai¹

Jurmane Ka Paisa Masjid Madrase Mein Lagana

Allama Mufti Shahroz Alam Akrami Jurmane Ke Mutalliq
Likhte Hain Ke Tazeer Bil Maal (Maali Jurmana) Jaaiz Nahin,
Fatawa Shaami Mein Hai :

وتحرم التعزير بالمال

Tanveerul Absaar Mein Hai :

ولا يؤخذ مال في المذهب

Fatawa Aalamgiri Mein Hai :

التعزير بأخذ المال لا يجوز كذا في

فتح القدير

Ye Maal Wapas Karna Zaroori Hai, Ye Raqam Masjid,
Madrassa Ya Qabristan Mein Lagana Jaaiz Nahin²
Albatta Agar Dene Waale Ijazat De Dein To Lagana Jaaiz Hoga³

[1] Fatawa Jama'atiya, 375

[2] Fatawa Behrul Uloom, 4/467

[3] Fatawa Behrul Uloom, 4/460, Fatawa Akrami, 255

Muftiye Aazam -e- Rajasthan Ka Fatwa

Muftiye Aazam -e- Rajasthan, Allama Mufti Ashfaq Husain Nayeemi Rahimahullahu Ta'ala Jurmane Ke Baare Mein Likhte Hain Ke Jurmana Lena Shar'an Jaaiz Nahin Hai¹

Jurmana Lene Ki Ijazat

Jaisa Ke Humne Bayaan Kiya Ke Ibtida -e- Islam Mein Mujrim Se Jurmana Lena Jaaiz Tha Baad Mein Ye Ijazat Mansookh Ho Gai Aur Mansookh Par Amal Karna Najaiz Wa Gunaah Hai Lekin Hazrate Syedi Muftiye Aazam -e- Hind Alaihirrahma Ne Logon Mein Be Panah Jurrat Wa Bebaki Badh Jaane Ki Wajah Se Baaz Soorato Mein Mujrim Se Jurmana Lene Ki Ijazat Di Hai Jaisa Ke Aapke Jaari Karda Darje Zel Fatwe Se Bakhoobi Ayaa'n Hai

Tazeer Bil Maal Najaiz Hai, Jurmana Karna Na Chahiye Magar Fatawa Khulasa Mein Farmaya :

سمعت من ثقة ان التعزير بأخذ
المال ان رأى القاضى او الوالى جازو
من جملة ذلك رجل لا يحضر
الجماعة يجوز تعزيره بأخذ المال

Fatawa Khulasa Ke Is Irshad Se Aise Shakhs Par Jurmana Ki Ijazat Waali Wa Qaazi Ke Liye Maloom Hui, Agar Wo Is Mein

[1] Fatawa Muftiye Aazam -e- Rajasthan, 401

Maslihat Paayein, Jo Jama'at Mein Haazir Nahin Hota To Jo Namaz Hi Nahin Padhte Un Par Badarje Oola Magar Ye Is Tarah Hoga Ke Uski Islah Ho Jaaye To Baade Islah Wapas Kar Dein Aur Agar Wapas Kar Dene Se Phir Us Shakhs Ki Wahi Haalat Ho Jaane Ka Sahih Andaza Ho To Kisi Nek Kaam Mein Uski Taraf Se Laga Dein,

Yahan Qaazi Kahan, Yahan Ahle Ilm Ulama -e- Balad Sunni Sahihul Aqeeda Ghair Fasiq Qaaim Maqaam Waali Hai, Uski Ijazat Se Ye Tazeer Ki Ja Sakti Hai

Jiski Islah Ho Jaaye Aur Wapas Karne Par Phir Uske Bigad Jaane Ka Andesha Na Ho To Baade Islah Use Uski Raqam Wapas De Di Jaaye Aur Jiske Bigadne Aur Tazeer Ki Haibat Hi Jaane Ka Andesha Ho, Uski Raqam Kisi Nek Kaam Mein Kharch Kar Di Jaaye, Agar Usse Ijazat Le Li Jaaye To Achha Hai Aur Agar Wo Ijazat Na De To Bhi Uski Taraf Se Kisi Nek Kaam Mein Laga Di Jaaye Ke Use Sawaab Pahunche¹

[1] Muqadma Fatawa Muftiye Aazam -e- Hind, 252

Faqeehe Millat Ka Fatwa

Faqeehe Millat, Hazrat Allama Mufti Jalaluddin Ahmad Amjadi Rahimahullahu Ta'ala Likhte Hain Ke Jurmane Ki Raqam Se Shamiyana Waghaira Banwana Ya Masjid Ki Zarooriyaat Mein Ise Sarf Karna Jaaiz Nahin Balki Sahibe Hadd Tauba Karne Ke Baad Tauba Par Qaaim Rahe To Uski Raqam Use Wapas De Di Jaaye, Aisa Hi Bahrur Raaq Jild Panjum Safa 41 Par Hai¹

Jurmane Ke Talluq Se Ye Humne Kuchh Ulama -e- Ahle Sunnat Ke Kalimaat Ko Bayaan Kiya, Qarayeen Se Duao Ki Guzarish Karte Hain

Allah Ta'ala Humari Is Kawish Ko Apni Bargah Mein Qabool Farmaye Aur Zariya -e- Najaat Banaye

[1] Fatawa Faizur Rasool, 2/489

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